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STATISTICAL INFORMATION ONLY: Debtor must select the number of each of the following items included in the Plan.

0 Valuation of Security

0 Assumption of Executory Contract or Unexpired Lease

0 Lien Avoidance

Last revised: August 1, 2020

UNITED STATES BANKRUPTCY COURT District of New Jersey

In Re: Pedro A. Viera Debtor(s)		Debtor(s)	Case No: Judge:	18-24470-SLM Stacey L. Meisel
		D		
☐ Original ☐ Motions I	ncluded	■ Modified/Notice Red □ Modified/No Notice	•	
		THE DEBTOR HAS FILED CHAPTER 13 OF THE BA		र

YOUR RIGHTS MAY BE AFFECTED

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the *Notice*. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

The following matters may be of particular importance. Debtors must check one box on each line to state whether the plan includes each of the following items. If an item is checked as "Does Not" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

THIS PLAN:

- DOES □ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.
- □ DOES DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.
- ☐ DOES DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.

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initiai Debto	r(s) [.] Attori	ney wL		initiai Debtor	PAV		initial Co-D	eptor	
Part 1: Pay	ment and	d Length	of Plan						
			1,130.78 N	<u>fonthly*</u> to th	e Chapter	13 Truste	ee, starting o	n <u>August 1, 2018</u> fo	or
approximate	ery <u>84</u> mon	uis.							
ь т		-1111			T	tl f -			
D. I	ne debtor	Future Ea		ments to the	Trustee In	om the to	llowing sourc	es.	
				nding (descri	be source,	amount a	and date whe	en funds are availab	le):
								_	
c 11	se of real	nronerty t	o eatiefy n	lan obligatior	ne:				
C. U			eal property		13.				
		Description	on:						
		Proposed	d date for c	ompletion:					
		Refinanc	e of real pr	operty:					
		Description		-					
		Proposed	d date for c	ompletion:					
	•	Loan mo	dification w	vith respect to	nortgage	encumb	erina propert	v [.]	
	_			Kearney Street			og proport	, .	
		Paterson,				2024			
		Proposed	date for c	ompletion:	Octor	per 2021			
d.	•	The regu	lar monthly	/ mortgage p	ayment wil	I continue	pending the	sale, refinance or	
	_	loan mod							
e.		Other into	ormation th	nat may be in	nportant re	lating to the	ne payment a	and length of plan:	
Part 2: Ade	equate Pr	otection			X NONE				
a. A	dequate r	rotection	payments	will be made	in the amo	ount of \$	to be paid	d to the Chapter 13	
Trustee and						_		·	
b. A	dequate r	rotection	payments	will be made	in the amo	ount of \$	to be paid	d directly by the	
				on to: (cr		· _			
Dart 2: Dric	rity Clair	ne (Inclu	ding Admi	nistrative Ex	vnoneoe)				
rait J. File	officy Chair	ns (mcia	aing Adini	mstrative L	крепвев)				
a. All allo	owed prio	rity claims	will be pai	id in full unles	ss the cred	litor agree	es otherwise:		
Creditor				Type of Prio	ritv			Amount to be I	Paid
Marie-Ann Gre	enberg			Administrat					8.16
Warren Levy (32181989			Attorney Fe	es			2,90	0.00
h Dome	etic Sunn	ort Ohliga	tions assig	ined or owed	to a gover	nmental i	ınit and naid	less than full amou	nt·
	k one:	or Obliga	aono aoong	nica or ovvcu	to a gover	ciitai t	ariit aria paid	1000 than fall alliou	
■ No									
								gation that has beer	
assid	aned to or	is owed t	o a govern	mental unit a	ına wili be i	paid less	tnan the full a	amount of the claim	ı

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pursuant to 11 U.S.C.1322(a)(4):

Creditor Type of Priority Claim Amount Amount to be Paid

Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Interest Amount to be Paid Regular Monthly

Rate on to Creditor (In Payment (Outside Arrearage Plan) Plan)

Mr. Cooper 272-274 Kearney Street 48,854.64 0.00 48,854.64 1,940.44

Paterson, NJ 07522 Passaic County

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☐ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Interest Amount to be Paid Regular Monthly

Creditor Collateral or Type of Debt Arrearage Rate on Arrearage Plan Plan Plan Toyota Financial Services 2012 Toyota Highlander 580.81 0.00 580.81 700.42

91220 miles

Location: 272 Kearney Street, Paterson NJ 07522

c. Secured claims excluded from 11 U.S.C. 506: ■ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Total to be Paid through the Plan
Amount of Including Interest Calculation
Name of Creditor Collateral Interest Rate Claim

d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ■ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

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Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Amount to
Mr. Cooper	272-274 Kearney Street Paterson, NJ 07522 Passaic County	7,512.20	285,000.00	Mortgage Mr. Cooper - 476,046.59	No value	N/A	0.00
Mr. Cooper	272-274 Kearney Street Paterson, NJ 07522 Passaic County	11,642.64	285,000.00	Mortgage Mr. Cooper - 476,046.59 Mr. Cooper - 7.512.20	No value	N/A	0.00
Wells Fargo/Bob's Discount Furniture	Charge Account	3,036.57	0.00	None	2,725.71	0.00	2,725.71

2.) \	Where the Debtor retains	collateral and comple	etes the Plan,	payment of the f	ull amount of	the
allowed sec	ured claim shall discharg	je the corresponding I	ien.			

e. Surrender □ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Toyota Financial Services	2011 Toyota Tundra	0.00	12,275.69

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

Creditor

Toyota Financial Services

g. Secured Claims to be Paid in Full Through the Plan ☐ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan
Mr. Cooper	272-274 Kearney Street Paterson, NJ	0.00
	07522 Passaic County	
Mr. Cooper	272-274 Kearney Street Paterson, NJ	0.00
•	07522 Passaic County	
Wells Fargo/Bob's Discount Furniture	Charge Account	2,725.71

Part 5:	Unsecured	Claims NONE		
	a. Not sepa □	rately classified allowed non-priority unser Not less than \$ to be distributed <i>pro r</i>		:
	•	Not less than <u>100</u> percent		
		Pro Rata distribution from any remaining funds		
	b. Separate	ely classified unsecured claims shall be tre	ated as follows:	
Creditor		Basis for Separate Classification	Treatment	Amount to be Paid
			·	

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Part 6: Executory Contracts and Unexpired Leases **X NONE**

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected. except the following, which are assumed:

Creditor Arrears to be Cured in Nature of Contract or Lease Treatment by Debtor Post-Petition Payment

Plan

Part 7: Motions **X NONE**

NOTE: All plans containing motions must be served on all affected lienholders, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ■ NONE

The Debtor moves to avoid the following liens that impair exemptions:

Sum of All Amount of Other Liens

Against the Amount of Lien Nature of Value of Claimed Creditor Collateral Type of Lien Amount of Lien Collateral Exemption to be Avoided **Property**

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ■ NONE

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Value of Total Amount of Creditor's Scheduled **Total Collateral** Lien to be Interest in Creditor Collateral Debt Value Superior Liens Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ■ NONE

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Amount to be Total Collateral Amount to be Deemed Reclassified as Creditor Collateral Scheduled Debt Value Secured Unsecured

Part 8: Other Plan Provisions

- a. Vesting of Property of the Estate
 - **Upon Confirmation**
 - **Upon Discharge**

Collateral

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b. F	Pa۱	/m	ent	N	lot	ices
------	-----	----	-----	---	-----	------

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-Petition Claims

The Standing Trustee □ is, ■ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

NOTE: Modification of a plan does not require that a separate motion be filed. A modified plan must be served in accordance with D.N.J. LBR 3015-2. If this Plan modifies a Plan previously filed in this case, complete the information below. Date of Plan being modified: October 21, 2019. Explain below why the plan is being modified: Explain below how the plan is being modified: To increase the length of the Plan due to Covid; adding post-petition arrears caused by the Covid Mortgage Forbearance. Explain below how the plan is being modified: Adding Forbearance arrears (in case of Loan Mod Denial), extending Plan to 84 months and adding the Loan Mod language.

Are Schedules I and J being filed simultaneously with this Modified Plan? ■ Yes □ No

Part 10: Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures:

□ NONE

■ Explain here:

*This plan is a step plan or has lumpsum payments as follows: \$1,130.78 per month for 36 months, then \$1,228.59 per month for 48 months

Debtor will surrender the 2011 Toyota Tundra (POC no. 4) in full satisfaction of the debt.

The monthly payments for the 2015 Toyota Tacoma (POC no.6) are to be outside of the Plan.

The arrears for the 2012 Toyota Highlander (POC no. 1) are to be paid through the Plan. The contractual monthly payments have been fufilled.

The Trustee is authorized to pay post-petition arrears in the amount of \$7,512.20 to Mr. Cooper per the May 9, 2019 Order.

The Trustee is authorized to additional pay post-petition arrears due to the Covid forbearance (in the event of a denial of a Loan Modification) in the amount of \$11,642.64 to Mr. Cooper.

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Any non-standard provisions placed elsewhere in this plan are ineffective.

Signatures

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Plan.

By signing and filing this document, the debtor(s), if not represented by an attorney, or the attorney for the debtor(s) certify that the wording and order of the provisions in this Chapter 13 Plan are identical to *Local Form, Chapter 13 Plan and Motions*, other than any non-standard provisions included in Part 10.

I certify under penalty of perjury that the above is true.

Date:	July 16, 2021	/s/ Pedro A. Viera
		Pedro A. Viera
		Debtor
Date:		
		Joint Debtor
Date	July 16, 2021	/s/ Warren Levy
		Warren Levy 032181989
		Attorney for the Debtor(s)

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United States Bankruptcy Court District of New Jersey

In re: Case No. 18-24470-SLM

Pedro A. Viera Chapter 13

Debtor

CERTIFICATE OF NOTICE

District/off: 0312-2 User: admin Page 1 of 3
Date Rcvd: Jul 29, 2021 Form ID: pdf901 Total Noticed: 19

The following symbols are used throughout this certificate:

Symbol Definition

+ Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

++ Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 31, 2021:

Recip ID		Recipient Name and Address
db	+	Pedro A. Viera, 272 Kearney Street, Paterson, NJ 07522-1922
cr	+	Nationstar Mortgage LLC as servicing agent for Wil, Stern Lavinthal & Frankenberg LLC, 105 Eisenhower Parkway, Suite 302, Roseland, NJ 07068-1640
cr	+	Nationstar Mortgage LLC d/b/a Mr. Cooper as servic, Stern, Lavinthal & Frankenberg, LLC, 105 Eisenhower Parkway, Suite 302, Roseland, NJ 07068-1640
cr	+	WILMINGTON TRUST NATIONAL ASSOCIATION NOT IN ITS I, RAS CITRON, LLC, 130 Clinton Road, Suite 202, Fairfield, NJ 07004-2927
517653751	+	Mr. Cooper, 8950 Cypress Waters Blvd, Coppell, TX 75019-4620
517653752	+	RAS Citron Law Offices, 130 Clinton Road, Suite 202, Fairfield, NJ 07004-2927
517653754	++	TOYOTA MOTOR CREDIT CORPORATION, PO BOX 8026, CEDAR RAPIDS IA 52408-8026 address filed with court:, Toyota Financial Services, Attn: Bankruptcy, PO Box 8026, Cedar Rapids, IA 52409
518473094		Toyota Motor Credit Corporation, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
517689819	+	Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
517693756		Wells Fargo Bank, N.A., PO Box 10438, MAC F8235-02F, Des Moines, IA 50306-0438
517653755	+	Wells Fargo/Bob's Discount Furniture, Po Box 10438, Mac F8235-02f, Des Moines, IA 50306-0438
517744803	+	Wilmington Trust, National Association, PO Box 619096, Dallas TX 75261-9096

TOTAL: 12

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

	Standard Time.				
	Recip ID		Notice Type: Email Address Email/Text: usanj.njbankr@usdoj.gov	Date/Time	Recipient Name and Address
			Email/Text: ustpregion03.ne.ecf@usdoj.gov	Jul 29 2021 20:30:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
8	mg	+	Email/Text. ustpregionos.ne.ect@usdoj.gov	Jul 29 2021 20:30:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
5	517653750	+	Email/PDF: creditonebknotifications@resurgent.com	Jul 29 2021 20:50:26	Credit One Bank, Attn: Bankruptcy, PO Box 98873, Las Vegas, NV 89193-8873
5	517726393		Email/PDF: resurgent bknotifications@resurgent.com	Jul 29 2021 20:50:27	LVNV Funding, LLC its successors and assigns as, assignee of MHC Receivables, LLC and, FNBM, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
5	517653753	+	Email/PDF: gecsedi@recoverycorp.com	Jul 29 2021 20:50:25	Synchrony Bank, Attn: Bankruptcy Dept, PO Box 965060, Orlando, FL 32896-5060
5	517655413	+	Email/PDF: gecsedi@recoverycorp.com	Jul 29 2021 20:50:25	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
5	517757421	+	${\bf Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM}$	Jul 29 2021 20:50:28	Verizon, by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901

TOTAL: 7

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Desc

District/off: 0312-2 User: admin Page 2 of 3 Date Rcvd: Jul 29, 2021 Form ID: pdf901 Total Noticed: 19

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Bypass Reason Name and Address

Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013 517756783 Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013

TOTAL: 0 Undeliverable, 2 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 31, 2021 Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 29, 2021 at the address(es) listed below: **Email Address** Name Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmllawgroup.com bkgroup@kmllawgroup.com Jeanette F. Frankenberg on behalf of Creditor Nationstar Mortgage LLC as servicing agent for Wilmington Trust National Association, not in its individual capacity but solely as successor trustee to Citibank, N.A. as Trustee to Lehman XS Trust Mo cmecf@sternlav.com Jeanette F. Frankenberg on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicing agent for Wilmington Trust National Association, not in its individual capacity but solely as successor trustee to Citibank, N.A. as Trustee to L cmecf@sternlav.com Kevin Gordon McDonald on behalf of Creditor Toyota Motor Credit Corporation kmcdonald@kmllawgroup.com bkgroup@kmllawgroup.com Kevin M. Buttery on behalf of Creditor WILMINGTON TRUST NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS SUCCESSOR TRUSTEE TO CITIBANK N.A. AS TRUSTEE TO LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-17 kbuttery@moodklaw.com Laura M. Egerman on behalf of Creditor WILMINGTON TRUST NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS SUCCESSOR TRUSTEE TO CITIBANK N.A. AS TRUSTEE TO LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-17 bkyecf@rasflaw.com bkyecf@rasflaw.com;legerman@rasnj.com Marie-Ann Greenberg magecf@magtrustee.com

Rebecca Ann Solarz

on behalf of Creditor Toyota Motor Credit Corporation rsolarz@kmllawgroup.com

Shauna M Deluca

on behalf of Creditor WILMINGTON TRUST NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS SUCCESSOR TRUSTEE TO CITIBANK N.A. AS TRUSTEE TO LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-17 sdeluca@raslg.com

Shauna M Deluca

on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicing agent for Wilmington Trust National Association, not in its individual capacity but solely as successor trustee to Citibank, N.A. as Trustee to L sdeluca@raslg.com

Sindi Mncina

on behalf of Creditor WILMINGTON TRUST NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS SUCCESSOR TRUSTEE TO CITIBANK N.A. AS TRUSTEE TO LEHMAN XS TRUST MORTGAGE

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PASS-THROUGH CERTIFICATES SERIES 2006-17 smncina@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

Warren D. Levy

on behalf of Debtor Pedro A. Viera jday@keaveneylegalgroup.com jdimaggio@keaveneylegalgroup.com; r46514@notify.bestcase.com; 3295273420@filings.docketbird.com; casedriverecf@casedrive

TOTAL: 13